

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Steven Duong, Planner I

SUBJECT: Consider/Discuss/Act on the Request by Twenty Rule Inc., on Behalf of Joplin Partners Ltd., for Approval of a Preliminary-Final Plat for Lots 1 and 2, Block A of the Twenty Rule Addition, Being Fewer Than 8 Acres, Located at the Southwest Corner of Forest Ridge Lane and University Drive (U.S. Highway 380)

APPROVAL PROCESS: The Planning and Zoning Commission is the final approval authority for the proposed preliminary-final plat.

STAFF RECOMMENDATION: Staff recommends approval of the proposed preliminary-final plat with the following conditions:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat Approval Checklist, attached.

Prior to filing the plat for record:

2. The applicant revise the plat to show the correct limits of the erosion hazard setback easement, subject to the review and approval of the City Engineer.
3. The applicant revise the plat to show the revised floodplain limits, following the review of the new flood plain study by the City Engineer and U.S. Army Corp of Engineers.
4. The applicant revise the plat to show a revised mutual access easement providing adequate access from University Drive (U.S. Highway 380) to the adjacent Texas Department of Transportation (TXDOT) property, subject to the review and approval of TXDOT.
5. The applicant revise the plat to show a right turn lane along University Drive, should one be required by a traffic impact analysis, subject to review and approval of the City Engineer.
6. If abandoning the AT&T easement by separate instrument, the applicant must revise the plat to provide the filing information for the abandoned AT&T

easement and show the new location, subject to review and approval of the City Engineer.

7. The applicant revise the plat to add the following note:

“The owner and any subsequent owner of Lot 1, Block A of this plat shall be solely responsible for the maintenance of the creek (including all erosion control) traversing said lot. The owner shall further hold the City of McKinney harmless from any damages to persons, to the owner's lot or any affected lot arising from such maintenance responsibility. The City shall not be responsible for the maintenance of the referenced creek, although it retains the right to enter upon the easement for public purposes.” The drainage easement shown hereunder shall not create any affirmative duty to the City to repair, maintain, or correct any condition that exists or occurs due to the natural flow of storm water runoff, including but not limited to, storm water overflow, bank erosion and sloughing, loss of vegetation and trees, bank subsidence, and interference with structures. Alteration of natural flow of water shall be subject to the regulations and ordinances of the City of McKinney, the State of Texas and Unites States of America”

APPLICATION SUBMITTAL DATE: February 24, 2014 (Original Application)
March 11, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to subdivide approximately 7.37 acres into 2 lots, located at the southwest corner of Forest Ridge Lane and University Drive (U.S. Highway 380). An associated site plan (14-046SP) for a long term acute care facility is currently under Staff's review.

PLATTING STATUS: The subject property is currently unplatted. Subsequent to the approval of the preliminary-final plat, a record plat or plats, subject to review and approval by the Director of Planning, must be filed for recordation with the Collin County Clerk, prior to issuance of a certificate of occupancy.

SURROUNDING ZONING AND LAND USES:

Subject Property: “PD” – Planned Development District Ordinance No. 2003-02-009 (Commercial Uses)

North	“PD” – Planned Development District Ordinance No. 1770 (Single Family Attached and Multiple Family Residential Uses)	Undeveloped Land
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South	“PD” – Planned Development District Ordinance No. 2003-02-009 (Single Family Residential Uses)	Ridgecrest Subdivision
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East	“PD” – Planned Development District Ordinance No. 2003-02-009 (Commercial Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2003-02-009 (Commercial Uses) and “AG” – Agricultural District (Agricultural Uses)	Undeveloped Land

ACCESS/CIRCULATION:

Adjacent Streets: University Drive (U.S. Highway 380), Major Regional Highway
 Forest Ridge Lane, 60’ Right-of-Way, Collector Street

Discussion: Proposed Lot 1 will have direct access to University Drive, as well as access to Forest Ridge Lane via mutual access easement. Proposed Lot 2 will have direct access to Forest Ridge Lane as well as access to University Drive via mutual access easement. Additionally, a mutual access easement from U.S. 380 to the adjacent TXDOT property has been provided; however, Engineering Staff has indicated that the access provided may not be adequate for proper circulation and must be approved by TXDOT prior to filing the plat.

TREE PRESERVATION ORDINANCE: The applicant will be responsible for complying with the Tree Preservation Ordinance, and for submittal of a tree survey or tree preservation plan, as determined by the Arborist. The applicant will also be responsible for applying for all necessary permits for any tree removal that is to occur on site.

PUBLIC IMPROVEMENTS:

- Sidewalks: Required along University Drive and Forest Ridge Lane
- Hike and Bike Trails: Not Required
- Road Improvements: All road improvements necessary for this development, and as determined by the City Engineer
- Utilities: All utilities necessary for this development, and as determined by the City Engineer

Discussion: Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all necessary public improvements prior to filing the associated plat, unless otherwise specified in an approved facilities agreement.

DRAINAGE: The applicant will be responsible for all drainage associated with the subject property, and for compliance with the Storm Water Ordinance, which may

require on-site detention. Grading and drainage plans are subject to review and approval by the City Engineer, prior to issuance of a building permit.

FEES:

Roadway Impact Fees:	Applicable (Ordinance No. 2013-11-108)
Utility Impact Fees:	Applicable (Ordinance No. 2013-11-109 and Ordinance No. 2013-12-118)
Median Landscape Fees:	Not Required
Park Land Dedication Fees:	Not Applicable
Pro-Rata:	Applicable (\$24,000 for a 12" water line along U.S. 380 and Forest Ridge Lane at the City standard rate of \$20.00 per linear foot.)

CONFORMANCE TO THE MASTER THOROUGHFARE PLAN (MTP): The proposed request does not conflict with the Master Thoroughfare Plan.

MISCELLANEOUS: The applicant will be responsible for the maintenance of the creek on the property. As such, the applicant should revise the plat to provide the note required in the conditions above.

Additionally, per the City's Subdivision Ordinance, all applicable floodplains and erosion hazard setback easements must be accurately delineated on the plat. The applicant has submitted a revised floodplain study that is currently being evaluated by Engineering Staff. Following review of the new study, Staff recommends the applicant revise the plat to show the revised floodplain limits.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments in support of or opposition to this request.

ATTACHMENTS:

- Standard Conditions for Preliminary-Final Plat Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Preliminary-Final Plat